

## **REMARKS**

### **Overview**

This amendment accompanies a request for continued examination. Claims 1-8 were finally rejected over a cited art reference, Curtis 6,389,139 in combination with Kemmerer (US 2003/0123678) as obvious. The rejection is traversed to the extent the Examiner should choose to apply it to the currently amended claims.

Claim 1 has been amended to provide the power supply is at a location in the premises and that an amplifier arrangement is provided for each of the speakers. The Examiner has, with hindsight and using broadest interpretation rules, selectively interpreted different features of the Curtis patent to fit the same into the wording of claim 1, which we previously submitted. In Curtis, the clear intention is to provide a means to allow the volume of a number of speakers which are provided as a part of a sound system to be more efficiently independently controlled. This is achieved by providing a volume control apparatus (20) for each of the speakers, and each of the apparatus for a particular speaker can be controlled independently of the apparatus for the others so as to allow the independent control of the speakers. The power to the volume control and speakers is provided from a common power supply which is shown as reference numeral 16 in Figure 1 of Curtis. The power supply is then connected to a signal conditioner 14 which is in fact the main amplifier for the system, and that amplifier is then connected to each of the volume control apparatus 20 and is connected to a speaker. It is therefore clear that the main amplifier for the system is provided as a single unit 14 and supplies power to each of the speakers. This is in contrast to the current invention and amended claim 1 in which there is not provided an amplifier which is common to all of the speakers but instead, there is provided a separate amplifier for each speaker. The inventor in the current application has recognized that there is no need to

provide a common amplifier and that the best way to provide the power to each of the speakers, particularly when using small gauge structured wiring cables, is to provide an amplifier for each of the speakers and which amplifier is provided intermediate the power supply and the respective speaker.

In order to support his obviousness argument, the Examiner has also effectively ignored the provision of the signal conditioner unit 14 in Curtis and suggests that each of the volume control apparatus 20 is equivalent to the amplifier for each of the speakers in accordance with the current invention. However, the volume control arrangements 20 are not amplifiers as defined in claim 1 of the current invention, as they do not, as the Examiner has suggested, disclose the inclusion of a switching regulator and a switching amplifier to receive the variable DC electrical input from the power signal and output a substantially constant voltage to the switching amplifier. This is because the volume control apparatus 20 is primarily provided for the selective control of volume not to avoid unnecessary heat or the other problems which are addressed in the current invention, and in which volume control does not figure. As a result there would be no need for the volume control apparatus of Curtis to be incorporated in, or believed to be of advantage in the sound system of the current application. Instead, if Curtis was looking at the same problem as addressed by the current invention the switch regulator and switching amplifier would be more likely to be incorporated in the signal conditioner unit 14 which is common to all of the speakers.

As the switching regulator and switching amplifier are not disclosed in Curtis, the Examiner has to rely upon Kemmerer but, as previously discussed, the system shown in Kemmerer is quite clearly provided for use in a vehicle and, therefore, is provided for use in a single environment and the distance of separation of speakers in the sound system would not be

an issue. There would appear to be therefore no justifiable argument as to why a person skilled in the art, would combine a system for use in a vehicle which is a closed confined space, with a system which is for use in a completely different environment i.e., in an environment in which the speakers are required to be spaced apart over a wide area and for a different purpose of providing volume control as a solution to the problem addressed in the current invention of how to distribute power in an effective manner so as to allow the control of speakers in separate areas over a relatively long cable network.

It is respectfully submitted that if the Examiner interprets Curtis correctly, their objection as obvious should be withdrawn, with respect to the currently amended claim 1.

In the first instance, if the Examiner interprets the volume control apparatus 20 which is connected to each of the speakers in Curtis, as an amplifier in accordance with the form of amplifier in the current invention, then the objections fail because the volume adjustment apparatus in Curtis does not include a switching regulator and a switching amplifier. It is also not justifiable to combine the teaching of Kemmerer with Curtis.

However, if the Examiner interprets Curtis such that the true amplifier of the Curtis system is the signal conditioner 14 then the objections fail because this is an amplifier 14 which is common to and connected to all of the speakers, rather than providing a separate amplifier for each speaker in accordance with the current invention.

## **Conclusion**

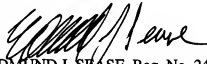
This amendment accompanies the filing of a Request for Continued Examination (RCE). Please charge Deposit Account No. 26-0084 the amount of \$405.00 (small) for the RCE per the attached transmittal.

This is a request to extend the period for filing a response in the above-identified application for three months from May 3, 2010 to August 3, 2010. Applicant is a small entity; therefore, please charge Deposit Account No. 26-0084 in the amount of \$555.00 to cover the cost of the three month extension.

No other fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Edmund J. Sease", is written over the typed name and firm information.

EDMUND J. SEASE, Reg. No. 24,741  
McKEE, VOORHEES & SEASE, P.L.C.  
801 Grand Avenue, Suite 3200  
Des Moines, Iowa 50309-2721  
Phone No: (515) 288-3667  
Fax No: (515) 288-1338  
**CUSTOMER NO: 22885**

Attorneys of Record

- bjh -